

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

DOYLE LEE HAMM,)	Civil Action No. 2:17-cv-02083-KOB
)	
Plaintiff,)	
)	
v.)	CAPITAL CASE
)	
JEFFERSON S. DUNN, Commissioner,)	
Alabama Department of Corrections;)	
)	
CYNTHIA STEWART, Warden,)	
Holman Correctional Facility;)	
)	
LEON BOLLING, Warden,)	
Donaldson Correctional Facility;)	
)	
OTHER UNKNOWN EMPLOYEES)	
AND AGENTS,)	
Alabama Department of Corrections;)	
)	
Defendants.)	
)	

SUPPLEMENTAL REPORT OF PARTIES' PLANNING MEETING

Pursuant to this Court's order dated February 23, 2018 (Doc. 83) and Rule 26(f) of the Federal Rules of Civil Procedure, a teleconference between the parties' respective counsel was held on Friday, March 2, 2018, with a subsequent conference taking place on Thursday, March 8, 2018, and further discussions by e-mail on Friday, March 9, 2018, to address all discovery and planning matters.

The parties have shared their respective positions and are in substantial agreement about the timing for discovery and trial of this case, should it move forward. The parties anticipate that the case will be settled. The parties submit this supplemental joint report in response to the Court's request.

1. **Trial Date.** This jury action should be ready for trial by October 31, 2018.

Defendants believe that trial can be completed in 3 days. Plaintiff believes that trial possible could be completed in 3 trial days and is confident that no more than 5 trial days would be needed.

2. **Pretrial Conference.** The parties request a pretrial conference at the end of September 2018.

3. **Discovery Plan.** The plans for discovery will be affected by the fact that underlying counsel for Plaintiff, Bernard E. Harcourt, will be joined by a law firm for discovery and to prepare this case for trial. Co-counsel will file an appearance if settlement negotiations fall through the week of March 12, 2018. In light of this, the proposed deadlines have been pushed out slightly to afford co-counsel the opportunity to review the case history. The parties jointly agree that, subject to modifications for good cause shown, fact and expert discovery shall be completed by July 31, 2018.

4. **Initial Disclosures.** The parties will exchange by April 9, 2018 the information required by Fed. R. Civ. P. 26(a)(1).

5. **Amending Pleadings.** The parties request until April 16, 2018, to join additional parties and amend the pleadings.
6. **Expert Reports.** The Plaintiff shall identify any expert witness who may testify and exchange the report of such expert with Defendants by May 1, 2018. The Defendants shall identify any expert witness who may testify and exchange the report of such expert with the Plaintiff by May 15, 2018. Any rebuttal reports shall be exchanged by May 29, 2018.
7. **Pretrial Disclosures.** Final lists of witnesses and exhibits under Rule 26(a)(3) will be due by October 1, 2018.
8. **Discovery Limits.** The parties will jointly agree by April 1, 2018, on the maximum number of interrogatories and depositions.
9. **Dispositive Motions.** Any potentially dispositive motions shall be filed by August 15, 2018.
10. **Settlement.** Settlement is likely.

Date: March 12, 2018

Respectfully submitted,

s/ Bernard E. Harcourt
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COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of March, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

Dated: March 12, 2018

/s/_____

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